

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MELVIN A. PARKER,

Plaintiff,

v.

JEFF LYNCH, et al.,

Defendants.

No. 2:23-cv-0503 KJN P

ORDER AND FINDINGS &
RECOMMENDATIONS

By order filed March 28, 2023, plaintiff's complaint was dismissed, and thirty days leave to file an amended complaint was granted.¹ On April 24, 2023, plaintiff's motion for extension of time was granted, and he was given thirty days to file an amended complaint that complies with the March 28, 2023 order. (ECF No. 16.) Thirty days from that date have passed, and plaintiff has not filed an amended complaint, or otherwise responded to the court's order.

In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

IT IS RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).


////

¹ Plaintiff's claims against defendant West were severed and proceed in Case No. 2:22-cv-2015 KJN P (E.D. Cal.)

1 These findings and recommendations are submitted to the United States District Judge
2 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
3 after being served with these findings and recommendations, plaintiff may file written objections
4 with the court and serve a copy on all parties. Such a document should be captioned “Objections
5 to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file
6 objections within the specified time may waive the right to appeal the District Court’s order.

7 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

8 Dated: December 29, 2023

9 
10 KENDALL J. NEWMAN
11 UNITED STATES MAGISTRATE JUDGE

12 /park0503.fta
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28